

110TH CONGRESS  
1ST SESSION

# H. R. 2644

To amend title XVIII of the Social Security Act to provide for coverage of marriage and family therapist services under Medicare part B, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2007

Mr. JEFFERSON introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title XVIII of the Social Security Act to provide for coverage of marriage and family therapist services under Medicare part B, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Medicare Marriage and  
5 Family Therapist Services Improvement Act”.

1 **SEC. 2. COVERAGE OF MARRIAGE AND FAMILY THERAPIST**  
 2 **SERVICES UNDER MEDICARE PART B.**

3 (a) **COVERAGE OF SERVICES.**—Section 1861(s)(2) of  
 4 the Social Security Act (42 U.S.C. 1395x(s)(2)) is amend-  
 5 ed—

6 (1) in subparagraph (Z), by striking “and” at  
 7 the end;

8 (2) in subparagraph (AA), by adding at the end  
 9 “and”; and

10 (3) by adding at the end the following new sub-  
 11 paragraph:

12 “(BB) marriage and family therapist serv-  
 13 ices (as defined in subsection (ccc)(1));”.

14 (b) **DEFINITION.**—Section 1861 of such Act (42  
 15 U.S.C. 1395x) is amended by adding at the end the fol-  
 16 lowing new subsection:

17 “(ccc) **MARRIAGE AND FAMILY THERAPIST SERV-**  
 18 **ICES.**—(1) The term ‘marriage and family therapist serv-  
 19 **ices’** means services performed by a marriage and family  
 20 therapist (as defined in paragraph (2)) for the diagnosis  
 21 and treatment of mental illnesses, which the marriage and  
 22 family therapist is legally authorized to perform under  
 23 State law (or the State regulatory mechanism provided by  
 24 State law) of the State in which such services are per-  
 25 formed, as would otherwise be covered if furnished by a  
 26 physician or as an incident to a physician’s professional

1 service, but only if no facility or other provider charges  
2 or is paid any amounts with respect to the furnishing of  
3 such services.

4 “(2) The term ‘marriage and family therapist’ means  
5 an individual who—

6 “(A) possesses a master’s or doctoral degree  
7 which qualifies for licensure or certification as a  
8 marriage and family therapist pursuant to State  
9 law;

10 “(B) after obtaining such degree has performed  
11 at least two years of clinical supervised experience in  
12 marriage and family therapy; and

13 “(C) in the case of an individual performing  
14 services in a State that provides for licensure or cer-  
15 tification of marriage or family therapists, is li-  
16 censed or certified as a marriage and family thera-  
17 pist in such State.”.

18 (c) PROVISION FOR PAYMENT UNDER PART B.—Sec-  
19 tion 1832(a)(2)(B) of such Act (42 U.S.C.  
20 1395k(a)(2)(B)) is amended by adding at the end the fol-  
21 lowing new clause:

22 “(v) marriage and family therapist serv-  
23 ices;”.

24 (d) AMOUNT OF PAYMENT.—Section 1833(a)(1) of  
25 such Act (42 U.S.C. 13951(a)(1)) is amended—

1           (1) by striking “and (V)” and inserting “(V”;  
2           and

3           (2) by inserting before the semicolon at the end  
4           the following: “, and (W) with respect to marriage  
5           and family therapist services under section  
6           1861(s)(2)(BB), the amounts paid shall be 90 per-  
7           cent of the lesser of the actual charge for the serv-  
8           ices or 85 percent of the amount determined for  
9           payment of a psychologist under clause (L)”.

10          (e) EXCLUSION OF MARRIAGE AND FAMILY THERA-  
11          PIST SERVICES FROM SKILLED NURSING FACILITY PRO-  
12          SPECTIVE PAYMENT SYSTEM.—Section 1888(e)(2)(A)(ii)  
13          of such Act (42 U.S.C. 1395yy(e)(2)(A)(ii)) is amended  
14          by inserting “marriage and family therapist services,”  
15          after “qualified psychologist services,”.

16          (f) INCLUSION OF MARRIAGE AND FAMILY THERA-  
17          PISTS AS PRACTITIONERS FOR ASSIGNMENT OF  
18          CLAIMS.—Section 1842(b)(18)(C) of such Act (42 U.S.C.  
19          1395u(b)(18)(C)) is amended by adding at the end the  
20          following new clause:

21                               “(vii) A marriage and family therapist  
22                               (as defined in section 1861(ecc)(2)).”.

1 **SEC. 3. COVERAGE OF MARRIAGE AND FAMILY THERAPIST**  
 2 **SERVICES PROVIDED IN CERTAIN SETTINGS.**

3 (a) RURAL HEALTH CLINICS.—Section  
 4 1861(aa)(1)(B) of the Social Security Act (42 U.S.C.  
 5 1395x(aa)(1)(B)) is amended by inserting “, by a mar-  
 6 riage and family therapist (as defined in subsection  
 7 (ccc)(2)),” after “by a clinical psychologist (as defined by  
 8 the Secretary)”.

9 (b) HOSPICE PROGRAMS.—Section  
 10 1861(dd)(2)(B)(i)(III) of such Act (42 U.S.C.  
 11 1395x(dd)(2)(B)(i)(III)) is amended by inserting “or mar-  
 12 riage and family therapist (as defined in subsection  
 13 (ccc)(2))” after “social worker”.

14 **SEC. 4. AUTHORIZATION OF MARRIAGE AND FAMILY**  
 15 **THERAPISTS TO DEVELOP DISCHARGE PLANS**  
 16 **FOR POST-HOSPITAL SERVICES.**

17 Section 1861(ee)(2)(G) of the Social Security Act (42  
 18 U.S.C. 1395x(ee)(2)(G)) is amended by inserting “mar-  
 19 riage and family therapist (as defined in subsection  
 20 (ccc)(2)),” after “social worker,”.

21 **SEC. 5. EFFECTIVE DATE.**

22 The amendments made by this Act apply with respect  
 23 to services furnished on or after November 1, 2007.

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